

# LIBERTY

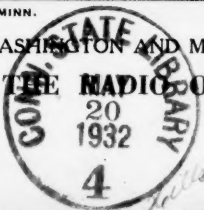
A MAGAZINE OF RELIGIOUS FREEDOM



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PERCY MORAN, ARTIST

THE MARRIAGE OF GEORGE WASHINGTON AND MARTHA DANDRIDGE CUSTIS  
REGULATING THE MARRIAGE ON SUNDAY  
TWENTY CENTS A COPY WASHINGTON, D. C.



# Religious Liberty Association

## DECLARATION OF PRINCIPLES

1. We believe in God, in the Bible as the word of God, and in the separation of church and state as taught by Jesus Christ.
2. We believe that the ten commandments are the law of God, and that they comprehend man's whole duty to God and man.
3. We believe that the religion of Jesus Christ is founded in the law of love of God, and needs no human power to support or enforce it. Love cannot be forced.
4. We believe in civil government as divinely ordained to protect men in the enjoyment of their natural rights and to rule in civil things, and that in this realm it is entitled to the respectful obedience of all.
5. We believe it is the right, and should be the privilege, of every individual to worship or not to worship, according to the dictates of his own conscience, provided that in the exercise of this right he respects the equal rights of others.
6. We believe that all religious legislation tends to unite church and state, is subversive of human rights, persecuting in character, and opposed to the best interests of both church and state.
7. We believe, therefore, that it is not within the province of civil government to legislate on religious questions.
8. We believe it to be our duty to use every lawful and honorable means to prevent religious legislation, and oppose all movements tending to unite church and state, that all may enjoy the inestimable blessings of civil and religious liberty.
9. We believe in the inalienable and constitutional right of free speech, free press, peaceable assembly, and petition.
10. We also believe in temperance, and regard the liquor traffic as a curse to society.

For further information regarding the principles of this association, address the Religious Liberty Association, Takoma Park, Washington, D. C. (secretary, C. S. Longacre; associates, H. H. Votaw and M. C. Taft), or any of the affiliated organizations given below:

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**Eastern Canadian Religious Liberty Association** (affiliated organizations in New Brunswick, Nova Scotia, Quebec, Ontario, and Newfoundland): Office, Oshawa, Ontario; secretary, W. C. Moffett.

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**Columbia Religious Liberty Association** (affiliated organizations in Pennsylvania, Ohio, New Jersey, Virginia, West Virginia, Delaware, and Maryland): Office, 507 Flower Ave., Takoma Park, D. C.; secretary, A. J. Clark; associate, B. G. Wilkinson.

**Northern Religious Liberty Association** (affiliated organizations in Minnesota, Iowa, North Dakota, and South Dakota): Office, 2718 Third Ave., South, Minneapolis, Minn.; secretary, Charles Thompson.

**North Pacific Religious Liberty Association** (affiliated organizations in Oregon, Washington, Idaho, Montana, and Alaska): Secretary, Morris Lukens, 202 South Pelouse St., Walla Walla, Wash.

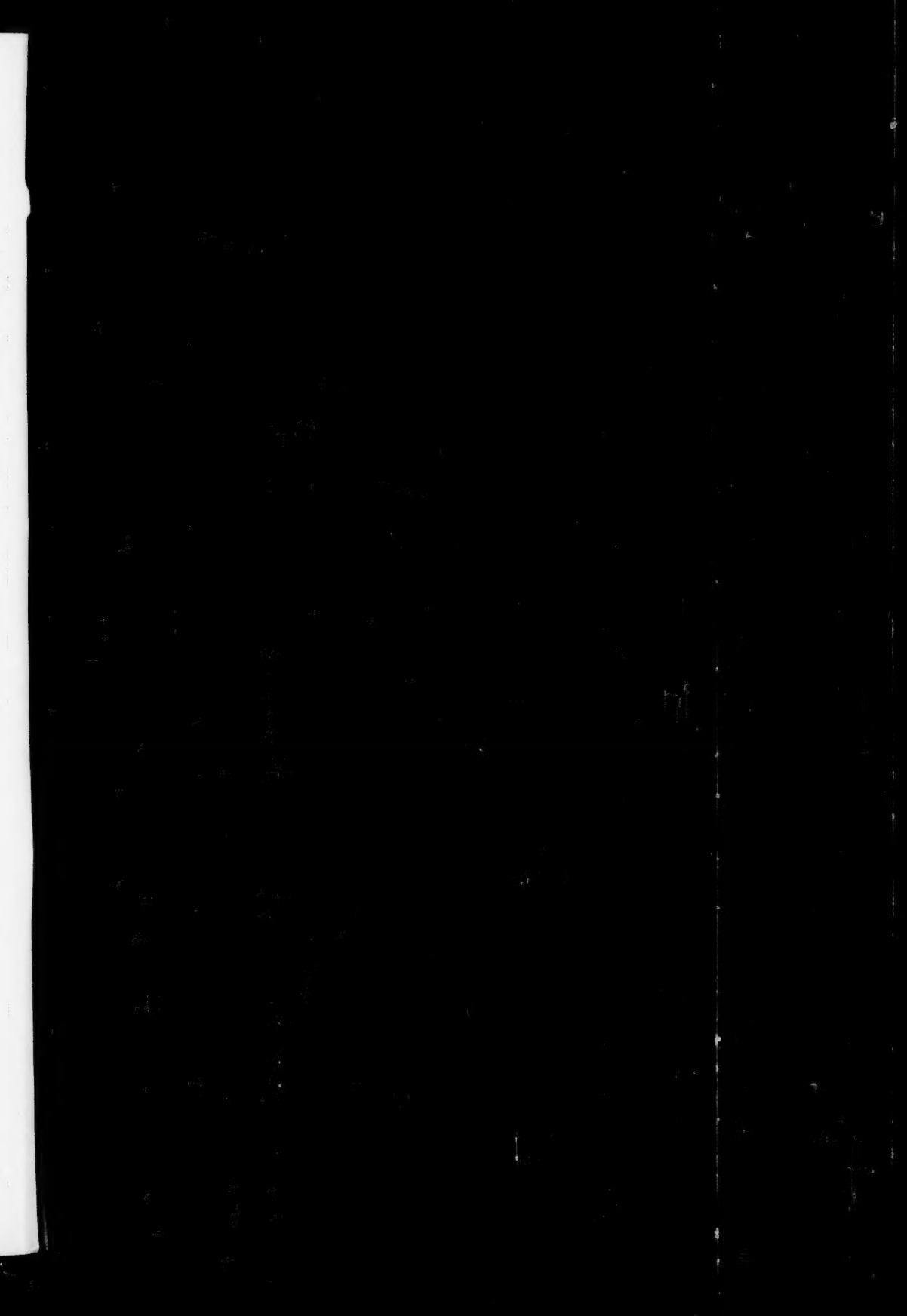
**Pacific Religious Liberty Association** (affiliated organizations in California, Nevada, Utah, and Arizona): Secretary, W. M. Adams, Bin 7, Lodi, Calif.

**Southeastern Religious Liberty Association** (affiliated organizations in Florida, Georgia, North Carolina, and South Carolina): Office, 202-216 First National Bank Bldg., Chattanooga, Tenn.; secretary, W. H. Heckman.

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**Western Canadian Religious Liberty Association** (affiliated organizations in Alberta, British Columbia, Manitoba, and Saskatchewan): Office, Lacombe, Alberta; secretary, S. A. Ruskjer.







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A MAGAZINE OF RELIGIOUS FREEDOM

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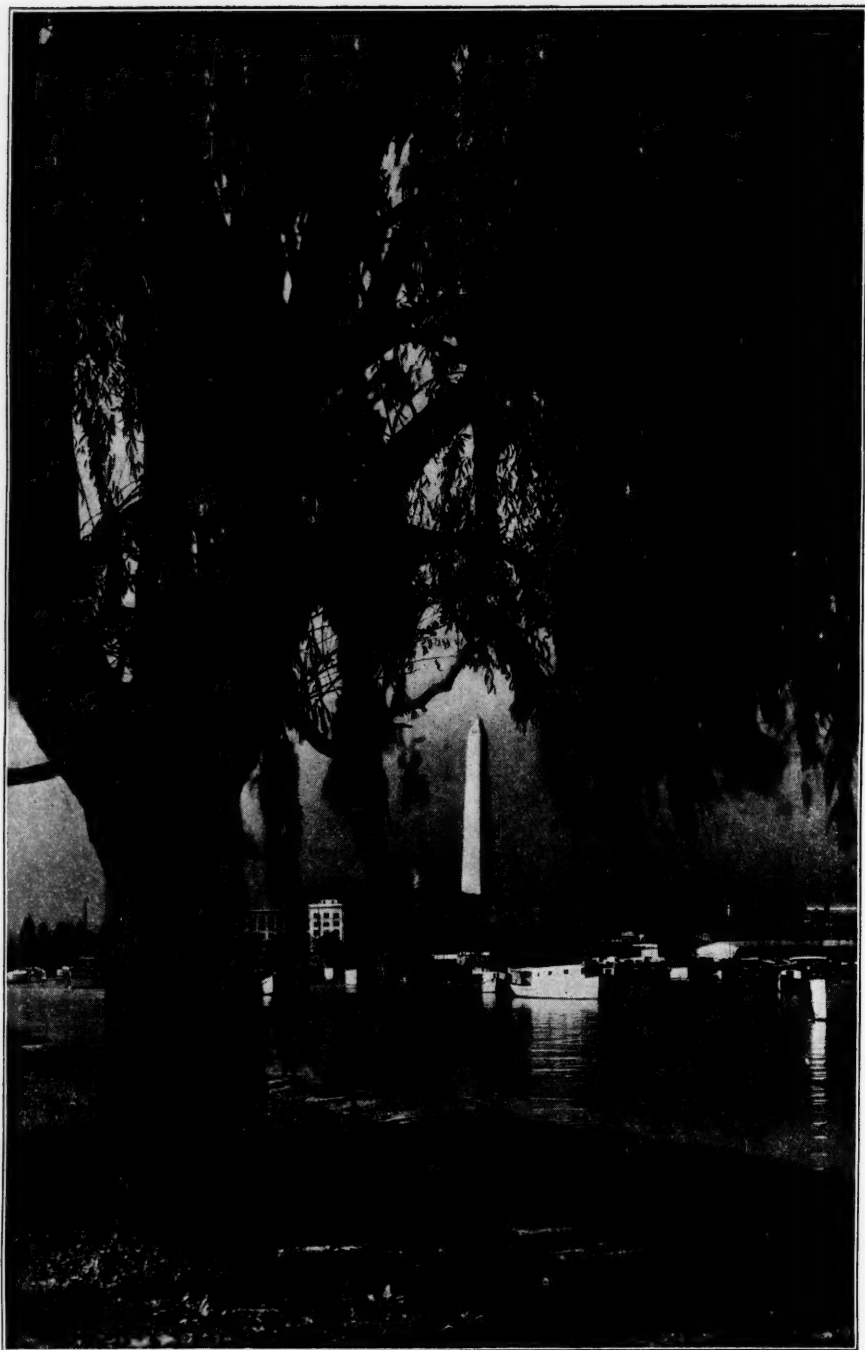
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THEO. HORYDCZAK

*A Picturesque View Across the Washington Channel Toward the Washington Monument*

# LIBERTY

A MAGAZINE OF RELIGIOUS FREEDOM

Second Quarter, 1932

## Does the District of Columbia Want a Sunday Law?

**T**HE Sunday law zealots have their eyes on the capital of the nation. They say Washington must be made a model city for the whole country. The Lord's Day Alliance and kindred organizations have for a number of years made frantic attempts to fasten Sunday blue laws upon the Federal statute books, but have met with dismal failure. Their proposed Sunday observance bills were too drastic and indigo blue to suit the citizens of Washington.

That Washington has no Sunday observance laws and has withstood all attempts to fasten such blue laws upon it, has been a sore spot to the Sunday law advocates of the Puritan type. Just now these Puritans are chuckling with glee over the hopeful prospects of securing the enactment of a mild and innocent-appearing Sunday rest law for the barbers of the District of Columbia, which these Puritans claim will serve as the thin edge of a wedge to force open the legislative doors of Congress and establish a legal precedent for their Sunday blue law legislation.

### An Entering Wedge

The barbers are aiding the blue law cause unconsciously, and they will soon discover, if the Sunday closing bill for barber shops in the District of Columbia becomes a law, that all kinds of labor



besides barbering will be prohibited,—the operation of theaters and motion picture houses, baseball, and innocent amusements of every kind. If Washington allows the Sunday blue law camel to thrust his legislative nose into its tent, it will not be long until the camel itself will be all in. That is exactly what the Sunday blue law advocates have definitely planned, if the Sunday closing barber shop bill is enacted into law.

### Two Bills Before Congress

The barbers are appealing for the passage of the two Sunday closing barber bills, namely, S. 1202 and H. R. 8092, on the ground that they are entitled to a day of rest each week. But this is a smoke screen, for every barber who now works on Sunday in the few shops that are open from three to four hours on that day, is given extra time off each week, so that he is required to work only the equivalent of six days a week. On the other hand, there is no law that compels barbers to work on Sunday; but if a barber wants to work on Sunday, he has that privilege, and why shouldn't he?

As a matter of fact, this compulsory Sunday rest bill for barbers is an effort on the part of one group of barbers to force another competing group to accept their terms through the medium of compulsory legislation. It is an effort to



U. S. A., WASH., D. C.

*The White House, With Its Spacious and Picturesque Surroundings*

stifle fair and honorable competition in the barber business. Why, in the name of common sense, should the Barbers' Union, whose membership is less than 10 per cent of the total number of barbers in the District of Columbia, enforce its peculiar rules and regulations upon the nonunion and independent barbers by the authority of the Federal Government?

#### **Un-American in Principle**

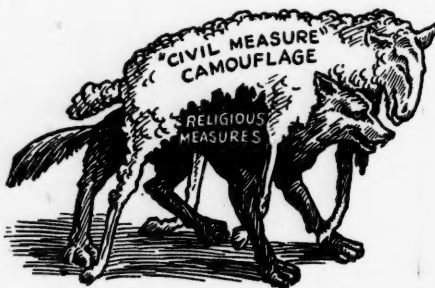
These compulsory Sunday rest bills make it criminal to do certain kinds of labor on Sunday that are perfectly lawful and beneficial on the other days of the week. The rank injustice of such a measure was pointed out by Justice Henshaw, of the State Supreme Court of California, when in 1895, under a barbers' Sunday closing law enacted that year, one Leo Jentzsch was indicted. In the decision freeing the prisoner, Justice Henshaw said:

"A man's Constitutional liberty means more than his personal freedom. It means, with many other rights, his right freely to labor,

and to own the fruits of his own toil. It is a curious law for the protection of labor which punishes the laborer for working. Yet that is precisely what this law does. . . . His wishes, tastes, or necessities are not consulted. If he labors, he is a criminal. Such protection to labor carried a little farther would send him from the jail to the poorhouse."

#### **It Is Religious Legislation**

These two Sunday closing measures now before Congress smack strongly of a religious flavor. They expressly state that those who observe Saturday must refrain from work on that day, "solely because of religious beliefs," if they want to work on Sunday. If that is not a religious test under law, then there never was one. It shows clearly that these bills are not health measures, for a person is not permitted to rest on Saturday or on Sunday for health

*The Hypocritical Religious Wolf*

reasons; he must rest on those days "solely because of religious beliefs." In these religious expressions, the hypocritical religious wolf, though dressed up in sheep's clothing, exhibits the ravenous teeth of a real wolf.

From the viewpoint of civil law, any act or work that is legitimate and honorable on one day of the week, is equally legitimate and honorable on other days of the week. Religion alone prohibits certain acts as sinful on holy days, that are perfectly legitimate on all other days of the week. When the state attempts to declare certain acts criminal on Sunday which it sanctions as legitimate on all other days of the week, it thereby lifts that day above the plane of civil days and gives Sunday a religious character.

Such legislation exalts and protects one day above the other six days of the week. It declares that day to be more holy than the others, and that is not within the province of the state, nor within the proper precincts of civil law. Religion alone can make such a distinc-

tion upon religious grounds. It is not within the proper sphere of civil government, but within the domain of religion. So far as the civil law is concerned, it is

no more a crime to shave a man on Sunday than on Monday. The fact that this proposed law requires a person to be religious on Saturday and to refrain from secular work on that day, in order that he may not be compelled to be religious on Sunday, is *prima facie* evidence that the proposed law is religious and not civil. Its prohibitions are religious prohibitions based "solely on religious beliefs."

#### An Attempt to Camouflage

All Sunday observance legislation, when traced to its source, is religious legislation. For fifteen hundred years

(Continued on page 62)



*A Mailed Fist Within the Glove*



THEO. HORYDCZAK



*The Towering Monument to Our First President in a Very Pleasing Setting*

# Shaving the Constitution

THE union barbers of Wash-

ington, D. C., are trying to shave the First Amendment from the Constitution. Under the influence of the local unions a bill (S. 1202) has been introduced in the Senate by Dr. Copeland, of New York, to provide "for the closing of barber shops on Sunday in the District of Columbia." This same measure passed the Senate last session, and was favorably reported out of the House Committee.

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof," declares the First Amendment. For nearly 150 years this provision has shaded the American people from the withering rays of religious intolerance and tyranny.

Of course the sponsors and supporters of this measure will not admit that it has anything to do with religion. But innocent as it may appear, the objectionable religious element is there, and is as plainly to be seen as the Washington Monument. As a Congressional precedent it contains enough explosive to wreck our religious freedom.

There is no exemption except for those "who actually refrain from the practice of such occupation or trade on Saturday solely because of religious beliefs." This has a strange ring. It doesn't come in on the Liberty Bell wave length. It is a disturbing static.

This would force every person who wished to labor on Sunday in a barber shop, to prove to the satisfaction of a

By Our Midwest Correspondent

court that he was an observer of the seventh-day Sabbath and that he rested from labor on that particular day.

No citizen of these United States should ever be required by law to state his religious beliefs, nor should he be forced to appeal to them in order to secure his civil rights. Religion should be neither an offense nor a defense. Why should any one be required to do penance on Saturday in order to work on Sunday? If this is a purely civil regulation, why is not Tuesday or some other day just as good as Saturday?

President Abraham Lincoln frowned upon such mixing of religion with a political office:

"So far as spiritual or ecclesiastical matters enter into the question, they are beyond your province, for you are a political representative." —*"Messages and Documents," 1862, Vol. I, p. 851.*

Political representatives are elected to deal with political and not religious matters. Some years later the State Department published a similar policy as representing the principle of separation of church and state in this country:

"This government does not know or inquire the religion of the American citizen it protects. . . . The religion of the accused cannot be admitted as proof or presumption, either of guilt or of innocence." —*Foreign Relations, 1881, p. 1007.*

In 1911 this nation abrogated its treaty with Russia because Russia insisted on interrogating American citizens regarding their religion. This action on the part of Russia brought a storm of protest from our Congressmen and oth-



"It is a curious law for the protection of labor which punishes the laborer for working."





*The Religious Reformer and the Sunday Law Advocate would wreck the foundation of Constitutional Guaranties of Religious Liberty to build a false chimney of Legal Religion, and thereby bring to ruin our Civil Structure*

ers. The condemnation of this policy applies equally to this Sunday barber bill, which would pry into one's religious beliefs. Said one Congressman:

"What is your religion?" Think, gentlemen of the House! Here in this land of liberty and freedom, where we know no difference in the grade of citizenship, where we heed no cry of creed or faith, where all men are supposed to be born free and equal, here within sight of the Capitol of our country, our citizenship is subjected to this humiliating inquisition."—*Congressional Record*, Dec. 13, 1911.

How does Congress officially know that Saturday is a religious day and that it is to be religiously observed? Why must Sunday be balanced by Saturday only? If it is not the idea of this bill to recognize the so-called sacredness of Sunday, why is it required that a day

taking its place must be sacredly observed?

Shall Congress resolve itself into a religious tribunal to answer these and other theological questions that will arise, or shall it properly leave these matters for the private life and consciences of the citizens, and attend to its political matters?

This bill appeals to competition, custom, public health, and disease germs in its defense. But they are merely verbiage to hide the grave that is being dug for liberty.

"I am not disposed to allow any class to come and ask for a law that interferes with some other man who wants to pursue his calling, simply because some other man does not want to pursue it," said Senator Bailey, of Texas, in 1910, when a similar measure was before Congress.

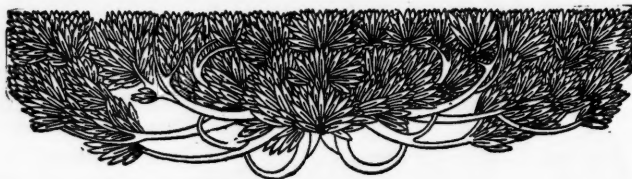
A great many other citizens outside the District of Columbia feel as did Mr. Bailey, when they see such appeals being made to our national lawmakers to interfere with legitimate business in the interests of a religious dogma.

There is not a barber in America who cannot rest on Sunday now if he wishes to. Surely those who religiously observe Sunday will have enough respect for their beliefs to rest on that day without a law, as do those who worship on Saturday. And those who have no religious convictions should not be coerced into conforming their lives to the program of those who do.

Why should Congress be annoyed with bills of this character, which dissipate its time and energy and which are

(Continued on page 63)

# Will Pennsylvania Shake Off Its Sunday Handicaps ?



**T**HAT the sentiment for complete separa-

By Heber H. Votaw

victory of national importance.

tion of religion and government is growing, would seem to be indicated by the fact that one of the oldest of the journals devoted to a union of church and state, in its leading editorial in the issue of January, 1932, raises this warning cry:

"Pennsylvanians who love the Sabbath, awake! You face the greatest fight in the history of the State if its Sabbath law is to be maintained, and the flood of Sunday amusements, which hinder church attendance and break down the sacredness of the day, is to be kept out of the State.

"In the October issue of the *Christian Statesman* reference was made to the nation-wide fight now on over Sunday amusements; to bills to legalize Sunday movies, baseball, etc., passed by the legislatures of New Hampshire, Maryland, Ohio, Arkansas, Texas, and New Mexico in 1931.

"On the first Tuesday of April, Wisconsin will vote by referendum on a proposal to repeal, in its entirety, the Sabbath law of the State.

"These same interests put on a strenuous fight in the Pennsylvania Legislature, the bill there being to legalize Sunday baseball. It passed the house by a vote of 106 to 98, but was defeated in the senate. This was the first time in 137 years that any bill to weaken the Sabbath law of the State ever got to first base in either branch of the legislature. Its proponents were greatly encouraged over the progress made, and announce their purpose to press the fight to a successful issue in the next legislature. We predict the amusement and sport interests of America for the next two years will center their fight for an open Sunday upon Pennsylvania. Throughout the United States, Pennsylvania is looked upon as the 'Keystone State' of the Union in maintaining the Sabbath. If they can break down the Sabbath law of this State, they will dishearten the friends of the Sabbath throughout the country, and win a

"Therefore, it behooves the friends of the Sabbath in Pennsylvania to awake to the magnitude of the fight before them, and to get into it at once with the determination that 'the enemy shall not pass.'"

The editors of *LIBERTY* receive no money from, and have no interest in, any of the amusements referred to in the foregoing editorial, or in any others, for that matter. They do, however, have an interest in helping to wipe from the statute books in every State in the Union any and every law that serves to unite church and state. We believe all such legislation is contrary to the American concept of government. That some such laws are on some of our statute books, only shows that at the time of our national birth we brought with us from the past some objectionable things.

Practically all the Sunday laws which are found on the statute books of the original colonies have come down from colonial times or were enacted very soon after our independence was declared. The absurdity of these laws cannot be conceived by one who is not acquainted with them. The Pennsylvania Sunday law about which the *Christian Statesman* raves so energetically, was enacted in 1794. It is entirely out of harmony with the spirit of the twentieth century. Its interpretation, as stated by a majority opinion of the Pennsylvania Supreme Court, would make it possible for a court to confiscate the property of any corporation violating its provisions.



Religious laws are always dangerous. Even though they are allowed to lie inactive for long periods, there is always the possibility that fanatics may arise to use them to persecute. The safe thing to do with such laws is to abolish them. We are heartened by the fear that grips the hearts of the editors of the *Christian Statesman*.



### Conscience vs. Congress

**I**F this be treason . . .," then Congress will have to make the most of a concerted refusal to accept it as the interpreter of the will of God.

Specifically, the signers of a new declaration of independence being circulated co-operatively by the religious press declare their supreme allegiance to be to God, and say that they will not accept any act of Congress which they hold violates religious freedom.

"The Declaration of an American Citizen," as the document is called, is an outcome of the five-to-four decision of the Supreme Court to refuse citizenship to Dr. Douglas Clyde MacIntosh on the ground that he is unwilling to bear arms in any war which he believes unjust and contrary to the will of God.

Roman Catholics and Protestants of all denominations are up in arms, so to speak, against this ruling, and are supporting an amendment to the naturalization law to permit those with conscientious scruples against war to become American citizens, if they are otherwise qualified.

Twenty-seven influential religious journals of the leading denominations join in a simultaneous protest against the Supreme Court's ruling and circulate the declaration, and Roman Catholic opinion takes a similar stand.

The document, to be had from any de-

nomination journal participating in the protest, is vigorously worded.

After reciting the circumstances of the MacIntosh decision, and quoting the dissenting opinion of Chief Justice Hughes, concurred in by Justices Brandeis, Holmes, and Stone, the declaration reads:

"Therefore, I, a citizen of the United States, solemnly refuse to acknowledge the obligation which the Supreme Court declares to be binding upon all citizens, whether native-born or naturalized.

"I have not promised, expressly or tacitly, to accept an act of Congress as the final interpretation of the will of God, and I will not do so.

"In my allegiance to my country I withhold nothing, not even my life.

"But I cannot give my conscience. That belongs to God.

"I repudiate the obligation which the Supreme Court's decision would impose upon me, and declare that the imposition of such an obligation is the essence of tyranny. I refuse to be bound by it.

"I further solemnly declare that until this intolerable restriction upon conscience and religion has been removed, I will not take the oath of allegiance upon any occasion without adding thereto a reservation of the right of conscience and of my supreme allegiance to the will of God.

"I therefore earnestly and respectfully petition Congress to amend the naturalization law so as to unbind the consciences of American citizens, and to insure that no alien who is otherwise qualified, and who is willing to be subject to the same obligations in all respects as a native-born citizen, shall be refused citizenship.

"(Signed) ....."

The text of a proposed statutory amendment, drawn up by the law firm headed by John W. Davis, Democratic candidate for

President in 1924, and placed in the hands of Senator Bronson Cutting of New Mexico, reads:

"No alien otherwise qualified under this act shall be denied citizenship by reason of his refusal on conscientious grounds to promise to bear arms or otherwise participate in war; but

(Concluded on page 65)



# Sunday Bills Before Congress

IT is apparent that the judicial pendulum is swinging to the defense of religious liberty and the rights of conscience. Some of our highest courts are now declaring null and void religious enactments which were passed under the guise of health measures. It looks quite certain that after a while common sense and reason will resume control, and religious measures camouflaged under the guise of "police power" will be more seriously considered and consistently opposed.

For many years, not only have some of the State legislatures been urged by would-be reformers to make more drastic and enforceable Sunday laws under the guise of health protection, but our national lawmaking body in nearly every session is likewise urged to enact some kind of compulsory Sunday observance law, and thus set an example for the entire nation.

Since the year 1888 there have been introduced into Congress nearly 150 religious measures, of which almost one half embraced in some form a Sunday law for the District of Columbia. And now on the eve of the celebration of the 200th anniversary of the birth of George Washington, the father of our country, who was an ardent champion of religious liberty, Senator Copeland, of New York, has reintroduced his Sunday barbers' bill, known as S. 1202, providing for the closing of barber shops on Sunday in the District of Columbia. It is camouflaged as a health measure. Mr. Stalker, also of New York, has introduced a Sunday closing barbers' bill in the House, which is an exact copy of the one introduced in the Senate; and now comes Mr.



Amlie, of Wisconsin, fathering a bill known as H. R. 8759, which purports to prevent radio advertising on Sunday. Representative Amlie has asked, "Why should not business respect the Sabbath

on the air as well as in other ways?"

It is hoped that the Seventy-second Congress will not yield, but follow the worthy example of previous Congresses, and respect our patriotic statesmen of early days, who were opposed, not only to a union of church and state, but to legislation bearing upon any particular religious question.

We hear today the same arguments in defense of Sunday legislation that were heard as far back as 1830, when the various religious organizations began to protest to Congress against the carrying of mails on Sunday, and who went so far in enforcing their religious views as to stretch heavy chains across the streets of Philadelphia and secure them with padlocks on Sunday, in order to prevent the passage of the government mail coaches between New York and Washington. This matter was so urged upon Congress that it became necessary for the House of Representatives to refer the matter to the Committee on Post Offices and Post Roads for careful consideration. The committee, referring to Sunday in its report, said:

"If a solemn act of legislation shall, in one point, define the law of God, or point out to the citizen one religious duty, it may, with equal propriety, proceed to define every part of divine revelation, and enforce every religious obligation, even to the forms and ceremony of worship, the endowment of the church, and the support of the clergy."—*American State Papers*, Class VII, p. 229.

(Concluded on page 65)

# Courts Rule Against Sumptuary Legislation

AS stated elsewhere in this number of LIBERTY, the judicial pendulum is swinging toward protest against unreasonable interference with one's liberty and his right to labor. One of the latest decisions of this kind is the recorded opinion rendered by the supreme court of Louisiana, entitled, "City of Alexandria vs. Hall, 171 La. Rep. 595, 131 Southern 722."

This case was a prosecution of one Hall in the city of Alexandria for violating a city ordinance which required barber shops to close at 6:30 P. M. except on Saturdays and days preceding legal holidays. The specific charge against Hall was that he kept open his barber shop after 6:30 P. M. on July 30, 1930, which day was neither Saturday nor a day preceding a legal holiday. Hall was convicted in city court, and sentenced to pay a fine of \$15, and in default of payment, to serve ten days in jail. He appealed his case to the higher court, which annulled and reversed the sentence and discharged him.

Mr. Hall's counsel maintained that the ordinance under which he was convicted was in violation of Section 2, Article I, of the Constitution of 1921 of the State of Louisiana, and of the Fourteenth Amendment of the Federal Constitution of the United States (the Fourteenth Amendment pertains to the States, while the Fifth pertains to the

## Some Barber Shop Closing Ordinances Held Unconstitutional

Federal Constitution); and that it was also class legislation, depriving him of his property and liberty without due process of law, and was an unwarranted and arbitrary interference with his Constitutional right

to carry on a lawful business.

The supreme court held that Mr. Hall was right in his contentions, and that his contentions were sustained by the following decisions:

*Eden vs. People*, 161 Ill. 296, 43 N. E. 1108, 32 L. R. A. 659, 52 Am. St. Rep. 365;

*Ex parte Jentzsch*, 112 Cal. 468, 44 P. 803, 32 L. R. A. 664;

*State vs. City of Laramie*, 40 Wyo. 74, 275 P. 106;

*Chaires vs. City of Atlanta*, 164 Ga. 755, 139 S. E. 559, 55 A. L. R. 230.

The court quoted at some length the cases of *Eden vs. People* and *Supra* and *Ex parte Jentzsch*, both decided by the supreme court of said States, declared illegal and unconstitutional certain statutes of said States prohibiting barber shops from being kept open on Sunday.

In the Louisiana case, the prosecution attempted to maintain the constitutionality of the ordinance

as a health measure by introducing medical expert testimony showing the long hours of work of the barber and his susceptibility to communicable diseases and the danger to his health by overworking.

(Continued on page 65)





HERBERT PHOTOS, N. Y.

## Regulating the Radio on Sunday

**T**HOMAS R. AMLIE, Congressman from Wisconsin, has introduced a bill (H. R. 8759) which aims "to prohibit commercial advertising by means of radio on Sunday." Mr. Amlie, in commenting on the purpose of his bill, said, "Why should not business respect the Sabbath on the air as well as in other ways?"

The purpose of this proposed Federal legislation is therefore to compel the radio stations to "respect the Sabbath." It is for the purpose of protecting a religious day from being desecrated, which, of course, makes it religious legislation. But Congress is prohibited by the Constitution from enacting religious laws.

If Congress can prohibit commercial advertising by means of radio on Sunday, it can with equal propriety prohibit commercial advertising by means of the newspapers on Sunday, or by means of billboards, or by means of display windows, or by means of films, in fact, by any means whatsoever.

To single out radio stations, and radio stations only, to the exclusion of all other means of commercial advertising on Sunday, brands the proposed measure as class legislation, and therefore unconstitutional. Nobody's rights are invaded, nobody's health is impaired, and nobody's safety is endangered by commercial advertising over the radio on Sunday. If a person does not want to listen to it, he has his own remedy in his re-

ceiving set. All he needs to do is to turn it off or shift the dial to another station till he finds what is agreeable to his taste. But some people seem to be very helpless. They simply cannot adjust themselves to the world's environment, and they want the Federal Government to help them be religious when they have not enough backbone to shut off their own radio set to undesirable matter coming over the air.

Personally, I do not enjoy jazz, but I would be the last person in the world to ask the Federal Government to pass a law prohibiting the playing of jazz. Some people seem to think that if there is anything in the world that they don't fancy, or that is contrary to their religious predilection, Congress ought to pass a law to prohibit it at once. Some folks still entertain the old notion that Congress can legislate upon every subject under heaven, both civil and religious.

Let Congress once pass a law to protect Sunday from being desecrated according to the notion of a certain class of religionists, and it has laid the foundation for the re-enactment of every Sunday blue law of the deepest indigo type ever conceived by the strictest of the Puritans in colonial times. One law of that kind calls for another, or at least paves the way for it. This is attested by the experience of centuries.

C. S. L.

# Lessons From the Past

By W. E. Gerald

**T**HE most furious, intolerant, and unrelenting of all despotisms is ecclesiasticism. By itself it can only hurl anathemas, but having secured the power of the state, it becomes, according to Philip Schaff, "an engine of tyranny and a satanic gift." When once a set of zealots start out to put their religion over on the other fellow by force, there is no stopping short of the death penalty if the victim continues to resist. Thus it was under the Puritanic régime; so it was under the Spanish Inquisition; and thus it was predicted by the Saviour: "The time cometh, that whosoever killeth you will *think* that he doeth God service."

A prominent religious writer has said: "The darkest chapters of history are burdened with the record of crimes committed by bigoted religionists. The Pharisees claimed to be the children of Abraham, and boasted of their possession of the oracles of God; yet these advan-

tages did not preserve them from selfishness, malignity, greed for gain, and the basest of hypocrisy. They thought themselves the greatest religionists of the world, but their so-called orthodoxy led them to crucify the Lord of glory."

David, in Psalms 22:12-16, gives a dramatic prophetic description of this greatest tragedy of all history. In it we see a mob of the highest professional religionists of the time, clamoring for the blood of the gentlest and most perfect Man that ever walked upon the earth, because His life of purity was a constant rebuke to their hypocrisy. In the scene as presented to David, these church dignitaries appeared like "strong bulls," "a roaring lion," or vicious "dogs," rushing upon their defenseless victim in bloodthirsty rage.

In the twenty-eighth verse of the thirtieth chapter of Isaiah's prophecy, is a very significant statement: "There shall be a bridle in the jaws of the people,



*Christians in Prison Beneath the Colosseum*

*"The darkest chapters of history are burdened with the record of crimes committed by bigoted religionists."*



causing them to err." The psalmist, in the thirty-second psalm, says: "Be ye not as the horse, or as the mule, which have no understanding: whose mouth must be held in with bit and bridle." The people who will allow a "bridle to be put into their jaws," as, for instance, by submitting to some glaring usurpation of their liberties, certainly lack "understanding;" and, too, the leaders who put the bridle in the jaws of the people, are assuming an arrogant superiority that is beyond their rightful prerogative.

Is it any wonder that the inspired seer of Patmos calls the organization assuming dominion over the consciences of men by the mystic name of "Babylon,"—the

symbol, first of the ancient attempt in Shinar's plain to substitute self-salvation for God's salvation, and later, in the great kingdom and city of Babylon, of the attempt to override the consciences of a God-fearing minority?

If lawmakers yield to the insistent demands of the National Reform lobbyists for Sunday laws, and the people do not oppose such attacks upon their liberties by a vigorous nation-wide protest, they will wake up some day, when it is too late, to find themselves inextricably bound to the "Juggernaut" of an unjust law, which, like that of the Medes and Persians, cannot be altered for the sake of a few "dissenters" from established custom.

## Maryland Courts and Civil Marriage Contracts

By H. H. Votaw

**T**HE State of Maryland does not recognize civil marriage. The statutes covering marriage in this commonwealth have been so interpreted by the courts. This is specifically stated in the case of *Denison vs. Denison*. (Maryland Reports, No. 35, p. 361.)

The court held that there never was a time in the history of the State, whether before its independence of Great Britain or since, when some religious ceremony or celebration was not deemed necessary to a valid marriage, and that the "practice and custom of the people of the State have been so universally in conformity with what would appear to have been the policy and requirement of the law, that such custom has acquired the force and sanction of law."

The court evidently felt that the custom in Maryland was sufficient evidence of the general will of the people that the argument referred to was used, "even though a question could be made as to

the technical construction of the act itself." The court emphatically and unequivocally decreed: "To constitute lawful marriage here, there must be superadded to the civil contract, some religious ceremony. The law, however, does not prescribe the form, nor according to the rites of what church the marriage shall be celebrated."

The foregoing case was tried in the early seventies of the last century. The same principles are set forth in the case of *Feehley vs. Feehley*, decided December 13, 1916. (Maryland Reports, 129, p. 565.) In this case a man and a woman had been duly married, but after living together for five years had been divorced. Fifteen years later, at the instance of a daughter of the union, then grown to young womanhood, they were reunited. There were intervening marriages which were dissolved by judicial



decrees, one of the parties having been married once and the other twice.

A priest came to the home of the woman, where the former husband was living as a boarder, and at their request married them without their having a license. When marital troubles again arose, the husband endeavored to prove that he was not liable for alimony because no license had been procured, but the court in deciding the case held that "the contention that the failure to secure a license rendered the marriage void, must be overruled." While it was recognized that "the statute provides that no persons within the State 'shall be joined in marriage until a license shall have been obtained,' . . . there is no purpose expressed in the statute that a marriage otherwise validly contracted and celebrated shall be void if the prescribed license shall not have been procured." But it was added, "It is the settled law of this State that 'some religious ceremony' must be 'superadded to the civil contract' in order that a marriage may be valid."

It is certainly more than passing strange that a plain provision of the civil law can be violated without invalidating a marriage contract, while it is impossible to have any marriage contract valid unless "some religious ceremony is superadded."

We believe in religious ceremonies at marriages. We believe that the marriage institution is the most solemn and sacred of those that have to do with social relationships. We believe that laxity in marital relationship is a curse to this country. We are sure that much crime could be traced to broken homes. But we are equally sure that nothing can be more repugnant to God than to have unbelievers go through the outward form of a religious ceremony. To force those who have only contempt for religious things to recite religious phrases or follow the form of religious rites, is mockery of the worst sort if it is not actual blasphemy. It is a never-ending source of wonder that those who presume to

teach the Scriptures think that ritual can take the place of faith. We repeat, we can think of nothing more absurd than a religious marriage form forced upon infidels!

How can a marriage that is based upon evasion and hypocrisy be the basis of permanent happiness? How can we expect the contracting parties to recognize the vows they take to be solemnly binding, when they are forced by law to practice deception at the very time the vows are taken?

Yes, let those who believe in religion have religious marriage ceremonies, but let not the State force these on the unbeliever.



### How Ruskin Treated His Friends

THE New York *Evening Post* gives the following interesting observation of Ruskin:

"Ruskin was wont to attack all and sundry with a savage merriment, which even his best friends at times resented. Once he wrote a friend hoping that a fierce criticism written by him of his friend's picture, would make no difference to their friendship. To which the friend had the wit to reply:

"DEAR RUSKIN: Next time I meet you I shall knock you down, but I hope it will make no difference to our friendship."

A father was perplexed because his son did not take to his religion. "I cannot understand," said the father, "why my son does not take to religion. I always had family worship and tried to make my son religious. When he would not get down on his knees when we prayed, I knocked him down."

The blue Sunday law advocate often wonders why the public does not take to his views about religion. The reason is not far to seek. No one likes to take a religion that is handed to him on a platter and administered at the point of the big stick. Friendship is not strengthened by the Ruskin method.



ALL desire liberty for themselves, but few are ready to allow it to others.

# George Washington's Devotion

By C. S. Lo

**I**T is most fitting that the American people should contemplate with reverence, during this bicentennial celebration of the birth of George Washington, the great ideals of religious liberty and human rights held by the first President of our Republic. He became an ardent champion of the fundamental principles of civil and religious liberty later so ably set forth in our Federal Constitution. He was president of the Constitutional Convention, and it was his genius and statesmanship that made our matchless Constitution a reality. His guiding spirit as first President of the Republic established that document securely as the Magna Charta of human liberty.

Some men are destined in God's plan to become great, because God has a place and a work prepared for them; even before they are born He chooses them to fulfill His purpose. More than one hundred years before the birth of Cyrus, God mentioned him by name and the work he was to accomplish. Moses, the deliverer of Israel from Egyptian bondage, and John the Baptist, the one who was to prepare the way for the coming of the Messiah, were called through divine revelation before they were born, and the special work they were to do was revealed to their parents. The number of kings that were to reign in Persia after Darius the Mede was definitely revealed to the prophet. Alexander the Great,



PHOTOART HOUSE, MADISON, WIS.



the first king of Grecia, and the special work he was to do, were divinely predicted centuries before his day.

Washington President  
Constitutional Co

There is no doubt in the minds of those who believe in a directing Providence, who "setteth up kings" and "ruleth in the kingdom of men," that Washington was a man called of God to serve as a leader in the establishment of a new nation upon the great fundamental principles of civil and religious liberty, and make possible for the first time in human government the divine proclamation of "liberty throughout all the land unto all the inhabitants thereof."

Washington was the champion of those American ideals which have made the Republic he founded a beacon light to the world. His diversified career as civil engineer, soldier, commander in chief, foremost agriculturist, builder of canals,



# otion to Freedom of Conscience —

y C. S. Longacre



ALBERT HERTER, ARTIST

Washington Presiding at the  
Constitutional Convention

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after being several times miraculously delivered from what appeared to be certain death, that Providence had saved him to fulfill a special mission in shaping the future destiny of the cause of human freedom in America. In this conception of his own destiny, he was not mistaken.

When his mother endeavored by every argument a mother's affection and love could suggest, to dissuade him from accompanying General Braddock on his hazardous trip to the Ohio, Washington set forth his patriotic reasons why he thought he ought to go, and then closed his statement with the one appeal that he knew would win his mother's consent. “Honored Madame,” he said respectfully, “the God to whom you commended

statesman, creator of a unified Republic of sovereign States, and first President of that Republic whose destiny he shaped, made him a unique character in all history. At the end of his marvelous career in human achievements, he retired to private life as a citizen respected in all the world.

As President Coolidge so well said of Washington: “His was the directing spirit without which there would have been no independence, no Union, no Constitution, and no Republic;” and it may be added, no such guarantees of civil and religious liberty as we enjoy today. He was a self-made man, endowed with a superlative degree of common sense and sound judgment.

When Patrick Henry was asked in 1774, before Americans contemplated a Revolution, who he thought was the greatest man in the Continental Congress, he replied: “If you speak of eloquence, Mr. Rutledge of South Carolina is by far the greatest orator; but if you speak of solid information and sound judgment, Colonel Washington is unquestionably the greatest man on the floor.”

Washington was given of God a vision and foresight of future events and of the destined greatness of America far beyond the ken of his countrymen. In advance of all others he saw that war was coming, and that the people in America were destined to become a self-gov-

erning and unified nation.

He had an intuitive consciousness in his youth,



me when I embarked upon a more dangerous errand defended me against all hazards. That He can and will do so again, is my hope." He then entreated his mother to place her trust in God for his preservation. She set aside her fear for his safety in the patriotic charge she herself gave, "The mothers of brave men must themselves be brave." In the height of his power and success, Washington said: "All I am I owe to my mother." She was a remarkable mother. She made it a lifetime practice to rise every morning at dawn and spend the first hour of the day in silent thought and prayer to prepare herself for the family worship hour to instruct her children in the principles of the Bible.

When Washington was only eleven years of age, his father died, leaving him to assume the patriarchal duty of saying grace at the table and reading prayers morning and night from the Episcopal prayer book.

Washington was a devout church man all his life. He did not at first see the necessity for disestablishing the Episcopalian Church in Virginia, and threw his influence upon the side of the Episcopal clergy. Later he favored a State tax for the support of all religions, allowing the members of each denomination to assign the church tax they paid to their own church organization. He then entertained the idea that religion could not prosper without State aid. But his ideas underwent a complete change as the struggle for civil and religious liberty progressed in Virginia.

Washington was a stranger to religious bigotry and intolerance. When he saw that religious legislation was the forerunner and cause of all religious persecution on the part of the State, he firmly set his face against it. He became just as ardent a champion of religious liberty as of civil liberty. He assured the religious minorities that were being oppressed and persecuted by State religious laws, that no such injustice and oppression would be made possible under the provision of the Federal Constitu-

tion if he was able to prevent it. In fact, when reminded by a Seventh Day Baptist society shortly after the Constitutional Convention had framed the Constitution of the United States, that they were still being fined and imprisoned for laboring on Sunday after they had conscientiously observed the seventh day of the week as holy time, and inquired whether or not if he, as president of the convention that framed the Federal Constitution, understood that instrument to warrant any such interference with their religious freedom and rights of conscience, Washington replied by a letter dated August 4, 1789, which reads as follows:

"If I had had the least idea of any difficulty resulting from the Constitution adopted by the convention of which I had the honor to be president when it was formed, so as to endanger the rights of any religious denomination, then I never should have attached my name to that instrument. If I had any idea that the general government was so administered that liberty of conscience was endangered, I pray you be assured that no man would be more willing than myself to revise and alter that part of it so as to avoid religious persecution. You can, without doubt, remember that I have often expressed my opinion that every man who conducts himself as a good citizen is accountable alone to God for his religious faith, and should be protected in worshiping God according to the dictates of his own conscience."—*"American State Papers"* (Blakely), p. 171.

This letter shows clearly that Washington had no sympathy with the State Sunday laws under which the Jews, Seventh Day Baptists, and Seventh-day Adventists are persecuted and denied liberty of conscience to this day.

When he was further reminded by the Baptists of Virginia that the Constitution of the United States offered no protection against religious persecution nor prevented religious establishments because it lacked guaranties protecting human rights and religious freedom, Washington replied:

"If I could have entertained the slightest apprehension that the Constitution framed by the convention where I had the honor to preside might possibly endanger the religious rights of any ecclesiastical society, certainly I would never have placed my signature to it; and if

I could now conceive that the general government might ever be so administered as to render the liberty of conscience insecure, I beg you will be persuaded that no one would be more zealous than myself to establish effectual barriers against the horrors of spiritual tyranny and every species of religious persecution. For, you doubtless remember, I have often expressed my sentiments that any man, conducting himself as a good citizen and being accountable to God alone for his religious opinions, ought to be protected in worshiping the Deity according to the dictates of his own conscience."—*History of the Baptists*, by Thomas Armitage, D. D., pp. 806, 807.

Washington became so much exercised over the lack of sufficient safeguards against religious legislation, that he encouraged James Madison, a member of Congress, who had made the first draft of the Federal Constitution, to draw up a Bill of Human Rights, and the first ten Amendments to the Constitution were the outgrowth of Washington's request to protect the rights of the individual against the encroachments of absolute sovereignty in law.

Washington firmly believed that the individual possesses certain natural and inalienable rights which no government can in justice take from him unless he has forfeited these rights through the established guilt of criminal conduct. He strongly advocated the necessity of the civil government's recognizing its own limitations of power, and the supremacy of the conscience of the individual in the realm of religion so long as he conducts himself as a good citizen and respects the equal rights of others. He believed that the rights of the minority should be safeguarded in Constitutional guaranties against the tyranny of the majority. He denounced the old-time doctrine that might determines right.

Washington's magnanimous spirit and sense of justice and fair play always led him to espouse the cause of the minority sects which were oppressed for their failure to comply with religious laws that contravened their faith. He endeavored to calm their fears of future religious oppressions by assuring them that the Federal Government protected all men in freedom of worship and in the free

exercise of the conscience in religious concerns, and that it was the duty of rulers and civil magistrates to prevent religious tyranny.

In writing a letter to the oppressed Quakers who had suffered the rigors of religious persecution, Washington assured them that liberty of worship and of conscience belonged to them as a *right* which civil rulers were bound to respect. Among other things, he told them:

"Government being, among other purposes, instituted to protect persons and consciences of men from oppression, it certainly is the duty of rulers, not only to abstain from it themselves, but according to their stations to prevent it in others. The liberty enjoyed by the people of these States of worshiping Almighty God agreeable to their consciences is not only among the choicest of their blessings, but also of their rights."—*Old South Leaflets*, No. 65, p. 9.

The Jews were fined and imprisoned under the drastic Sunday laws of the States for their failure to observe Sunday after they had observed the seventh-day Sabbath of the Scriptures. The Hebrew congregation of Newport, Rhode Island, August 17, 1790, addressed Washington, expressing confidence that under the new government and under his administration, just inaugurated, all classes of people would enjoy equal opportunities and freedom under the laws. In response to this address, Washington wrote this congregation:

"All possess alike liberty of conscience and immunities of citizenship. It is now no more that *toleration* is spoken of as if it was by the indulgence of one class of people that another enjoyed the exercise of their *inherent natural right*. For happily the government of the United States, which gives to bigotry no sanction, to persecution no assistance, requires only that they who live under its protection shall demean themselves as good citizens."

And in closing his letter to these Hebrews, Washington said:

"May the children of the stock of Abraham who dwell in this land continue to merit and enjoy the good will of the other inhabitants, while every one shall sit in safety under his own fig tree, and there shall be none to make him afraid. May the Father of all mercies scatter light and not darkness in our paths, and make us all in our several vocations useful here and in His own due time and way everlastingly happy."

Many of the clergymen of the Christian faith were zealous to have Christ and Christianity officially recognized either in the Constitution or by Act of Congress, but Washington resolutely opposed the proposition to give to the Christian religion legal sanctions, and pointed out the inherent dangers, the denial of religious freedom, and the inequality of different faiths before the law, that would result from such action.

Washington's opportunity came at last to place himself and Congress on record officially, that the government of the United States was not, in any sense, founded on the Christian religion, when he negotiated the treaty of peace and friendship with Tripoli in the closing days of his administration, which was ratified by the Senate, and thus became a part of the fundamental law of the land, binding on all courts and legislatures. George Washington inspired the draft of the treaty, and purposely had this remarkable statement inserted in Article XI of this treaty: "The government of the United States of America is not, in any sense, founded on the Christian religion." By the insertion of this statement, Washington hoped, as he told the Baptists of Virginia, "to establish effectual barriers against the horrors of spiritual tyranny and every species of religious persecution." Washington was anxious to close every avenue against religious persecution in America, by giving to religion no legal sanction and to religious bigotry no legal weapons, so far as the Federal Government was concerned.

Washington was strongly opposed to making religion a test for civil office. In writing a letter to the founders of the First Baptist church in Baltimore, Washington took the position that no man's religious belief or unbelief of whatever persuasion should deprive him of the equal protection of the laws or of holding the highest offices in the land. In this letter he said:

"We have abundant reason to rejoice that in this land the light of truth and reason has

triumphed over the power of bigotry and superstition, and that every person here may worship God according to the dictates of his own heart. In this enlightened age and in this land of equal liberty, it is our boast that a man's religious tenets will not forfeit the protection of the laws, nor deprive him of the right of attaining and holding the highest offices that are known in the United States."—*"Old South Leaflets," No. 65, p. 13.*

In addressing the bishops of the Methodist Church, Washington declared that he believed in preserving civil and religious liberty for the American people, not only in the letter, but in spirit by his own overt acts.

"It shall be my endeavor to manifest by overt acts the purity of my inclinations for promoting the happiness of mankind as well as the sincerity of my desires to contribute whatever may be in my power towards the preservation of the civil and religious liberties of the American people."—*Id., p. 3.*

In his communication to the Presbyterian Church, Washington admonished Christians to be more charitable toward each other, since the State had become a protector of the rights of conscience:

"While all men in our territories are protected in worshipping the Deity according to the dictates of their consciences, it is rationally to be expected from them in return, that they will be emulous of evincing the sanctity of their professions by the innocence of their lives and the beneficence of their actions."—*Id., p. 2.*

If there was one thing above another that Washington deprecated after the Federal Government guaranteed religious liberty to every man, it was the religious intolerance and persecution that was still carried on under the religious establishments under the State laws. Christians were still persecuting Christians under the State Sunday laws, and requiring the members of one church to support the clergy of another denomination. Nonprofessors of religion were disfranchised and disqualified for public office because certain churches were controlling State affairs. Washington had hoped that this spirit of religious intolerance and bigotry would be banished forever as the result of the liberal policy adopted by the Federal Government of allowing all men religious freedom under

a separation of church and state. He said:

"Of all the animosities which have existed among mankind, those which are caused by a difference of sentiments in religion appear to be the most inveterate and distressing, and ought most to be deprecated. I was in hopes that the enlightened and liberal policy, which has marked the present age, would at least have reconciled Christians of every denomination so far that we should never again see their religious disputes carried to such a pitch as to endanger the peace of society."

The one thought uppermost in the mind of Washington in the framing of the fundamental law of the land during the Constitutional Convention, was that the rights and liberties of the people should be so protected and safeguarded that the new government would be prevented from degenerating into a monarchy, oligarchy, or aristocracy, or any other form of despotism.

While the ratification of the Constitution by the States hung in the balance, Washington wrote, on September 7, 1788, to his friend and comrade in arms, La Fayette, and after praising the Constitution as the palladium of human rights, he added that it would remain so only "so long as there shall remain any virtue in the body of the people." He then continued:

"I would not be understood, my dear Marquis, to speak of consequences which may be produced in the revolution of ages by corruption of morals, profligacy of manners, or listlessness in the preservation of the natural and unalienable rights of mankind, nor of the successful usurpations that may be established at such an unpropitious juncture upon the ruins of liberty, however providently guarded and secured, as these are contingencies against which no human prudence can effectually provide."

Washington regarded the liberties of America secure only so long as the spirit and principles of civil and religious liberty continued to abide in the hearts and to animate the lives of the American people. He admonished the people in his "Farewell Address" to preserve the Constitution as their most cherished heritage, setting forth "the fundamental maxims of true liberty" for the benefit of their "collective and individual hap-

piness," and to "resist with care the spirit of innovation upon its principles, however specious the pretext. One method of assault may be to effect, in the forms of the Constitution, alterations which will impair the energy of the system, and thus to undermine what cannot be directly overthrown."

Washington knew as few men did that the inherent danger which threatened the overthrow of Constitutional liberties was, as he said, "the love of power and proneness to abuse it, which predominates in the human heart," ever tempting the administrators of law and justice to override the Constitutional guaranties of human rights.

One of the noblest acts in the public career of Washington was his unequivocal refusal of the offer of kingship in 1782 at the suggestion of some of his military officers. In replying to Colonel Lewis Nicola, who was the medium chosen by his brother officers to convey the suggestion, Washington administered a stinging rebuke, and Humphreys and Trumbull, his military aide and secretary, certify to the exactness of the copy he kept, which reads as follows:

"With a mixture of great surprise and astonishment, I have read with attention the sentiments you have submitted to my perusal. Be assured, Sir, no occurrence in the course of the war has given me more painful sensations, than your information of there being such ideas existing in the army, as you have expressed, which I must view with abhorrence and reprehend with severity. For the present the communication of them will rest in my own bosom, unless some further agitation of the matter shall make a disclosure necessary. I am much at a loss to conceive what part of my conduct could have given encouragement to an address which to me seems big with the greatest mischiefs that can befall my country. If I am not deceived in the knowledge of myself, you could not have found a person to whom your schemes are more disagreeable. . . . Let me conjure you, then, if you have any regard for your country, concern for yourself or posterity, or respect for me, to banish these thoughts from your mind, and never communicate, as from yourself or any one else, a sentiment of the like nature."

If it had not been for the ideals for which Washington stood during the for-



mative and critical period of our republican form of government after the Revolutionary War, there never would have been a Republic of independent States, nor a Constitution guaranteeing civil and religious liberty to every citizen.

When the first inaugural oath of the Presidential office was administered to Washington, on April 30, 1789, by the Chancellor of New York, who thereupon exclaimed: "Long live George Washington, President of the United States!" President Washington responded: "The preservation of the sacred fire of liberty and the destiny of the republican model of government are justly considered, perhaps, as *deeply*, as *finally*, staked on the experiment intrusted to the hands of the American people."

As long as the ideals and principles championed by George Washington hold a dominant place in the hearts of the American people, the heritage of religious liberty will remain secure and our free republican institutions will be preserved.

It is only as we cherish these great ideals and principles of civil and religious liberty, and seek to maintain and preserve them, that we become worthy citizens of our country. There is no better way to honor the memory of this great and noble American, who staked his entire fortune, his life and all, in defense of the cause of civil and religious liberty, human rights and the free exercise of the conscience for the individual, than to dedicate ourselves and give of our means to the defense of the sacred heritage of freedom which Washington has bequeathed to posterity. In making our contribution toward the preservation and advancement of the cause of religious liberty, let us remember that it was Washington who threw his great weight of influence into the scales, and who made religious liberty possible for every person's enjoyment.

In sustaining the struggling cause of religious freedom, let us not only contemplate the lofty ideals championed by the Father of His Country, but let us

exercise untiring vigilance and fortitude by every lawful means in holding aloft the banner of civil and religious liberty, lest our precious heritage of freedom perish from the earth.

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### Does the District of Columbia Want a Sunday Law?

(Continued from page 45)

it was called religious legislation by the courts of all nations. They made no pretense to call it anything else. To call it civil legislation in the interest of health now is all camouflage. Labor and health are simply used as a stalking horse or a smoke screen to give the measure a legal fiction and an apparent standing in law.

The fact that the Barbers' Union notified the Lord's Day Alliance and its allied organizations to stay out of the fight, after it offered its services in defense of the Sunday closing measure, is additional evidence that the measure is religious, and that the Barbers' Union is attempting to cover up the mailed fist within the silken glove of a health measure to give it the appearance of a civil measure, when in reality it is a religious bill approved by religious organizations. The religious forces are kept in the background for a purpose.

#### Will Serve as a Boomerang

But just as soon as this proposed Sunday closing law for barber shops is placed upon the statute books, these religious reform forces will come to the front with their own program to close up everything tight on Sunday, and the barbers themselves will have no place to go on Sunday for entertainment or pleasure, but will be forced to sit in their homes and twiddle their thumbs all day. That is exactly the experience of the past. The Barbers' Unions would do well to consider their steps before they jump out of the frying pan into the fire. If they employ force to compel the independent barbers to rest on Sunday, somebody else is likely to use the

law to curb their activities along other lines on Sunday. If you use the hammer on another fellow's head, that somebody is likely to use the hatchet on your head. You always get paid back in the same kind of coin you pay out. You reap what you sow, and much more.

#### **A Most Dangerous Precedent**

When once the Federal Government commits itself to the precedent of regulating people's conduct on Sunday differently from the other days of the week, there is no telling where this Sunday blue law legislation is going to end. So far Congress has steered clear of this treacherous legislation, and let us hope and pray that the Seventy-second Congress will follow the example of its worthy predecessors. Let us keep the church and religion out of politics.

There is a whole inferno of potential evil consequences couched in the proposal that the Federal Government shall compel one man to rest on Sunday because another man wants to rest on that day. Let not the Federal Government destroy freedom of choice in religious matters nor individual initiative in civil affairs.

C. S. L.

### **Shaving the Constitution**

*(Continued from page 47)*

plainly outside its jurisdiction? If any one is actually restrained by physical force from resting on Sunday, the law will come to his rescue; if it did not, then there would be justification for an appeal to our lawmakers.

So far as the barbers are concerned, the purpose of this legislation is not to secure a rest day for them, but to prohibit others from opening shops on Sunday. While an open shop might shift patronage somewhat on that day, it is not the business of Congress thus to destroy "competition." It would be just as proper for a barber having a six-chair shop to appeal to Congress to prohibit his competitor across the street from having seven chairs, because in his opin-

ion it would take away part of his business.

The American Federation of Labor has also thrown its influence in favor of this bill. For many years this great organization has had as one of its planks the principle of "one day of rest in seven." The present bill is not consistent with this platform, for it demands, not "one" day, but "the" day—Sunday—of the week.

A one-day-in-seven rest law would give every laboring man a day off. When one particular day is selected, it is bound to infringe on the liberty and religious beliefs of thousands of citizens. There should be no question for a moment which policy to follow. Labor unions which honestly wish to help labor 100 per cent, will not be partial to a certain class on a certain day.

We believe that the Federation does not realize the potential evil incorporated in this proposed law. An injunction against labor will eventually react injuriously upon those advocating it.

Some years ago, in its zeal to secure a Sunday rest day, the Federation of Labor joined hands with the Lord's Day Alliance. The Federation expected the brakes to work when a rest day was secured; but the Alliance kept on going at full speed in its scheme to prohibit everything secular, and claimed the indorsement of the Federation. Labor then discovered that it had inherited a holy day program instead of holiday freedom.

So the executive council of the American Federation of Labor felt obliged to repudiate its friendship with the Alliance if it hoped to have any rights left to exercise on Sunday. When the Lankford Sunday bill was introduced at a recent session of Congress, at the instigation of the same Lord's Day Alliance, Mr. Green, president of the Federation, wrote me in October, 1928:

"The executive council reported to the American Federation of Labor convention in 1925 that the proposed law would be 'another interference with personal liberties, depriving the people of the exercise of the right to spend

Sunday in the manner best suited to their belief." The convention approved of the action of the executive council, and recommended a continuation of its efforts to defeat that or similar measures introduced in Congress."

Will the Federation profit by its past experience? The right to work is as sacred as the right to rest, and every citizen, whether he is a union man or not, should be protected in working or resting as he may wish. Government should not attempt to make any day sacred, nor to discourage honest labor by putting on it a tax of a \$20 fine for following a legitimate trade on any day of the week.

Dr. Copeland's bill also claims that enforced observance of Sunday will provide "against the spread of infectious disease." We question this statement; but we do believe that if such a bill should pass, it would infect the Constitution with a disease that would eventually destroy its usefulness to liberty.

Do the germs work only on Sunday? If the barbers are moving vans for various germ families, would it not be better for the health of the community to have them in some sanitary barber shop on Sunday, surrounded by germicides, than running loose?

It is hard to believe that shampooing, shaving, and hair cutting can do anything but promote the health and appearance of the public. A number of superior courts have handed down opinions in favor of Sunday barbering. The Illinois Supreme Court (*Eden vs. the People*, 161 Ill., 307) says:

"As a general rule a police regulation has a reference to the health, comfort, safety, and welfare of society. How, it may be asked, is the health, comfort, safety, or welfare of society to be injuriously affected by keeping open a barber shop on Sunday?"

The Kentucky Court of Appeals (*Stratman vs. Commonwealth*, 137 Kentucky Reports, 504) also disagrees with the contention of Dr. Copeland: "There is nothing in the business of barbering that is dangerous, hurtful, or injurious to society." And the Indiana Supreme Court supplements this testimony:

"The business of barbering is cleanly in itself, and ordinarily conducted in a quiet and orderly way, and the suspension of such work on Sunday cannot be said to promote the health, comfort, safety, and welfare of society in general."—*Armstrong vs. State*, 170 Indiana, 188.

All Sunday legislation is a manifestation of the rapidly growing tendency to regulate man's activities by law. It is too often assumed that a few legislators are supermen, capable of managing and directing the affairs of their fellow men, and thereby removing all opportunity for individual enterprise and spontaneous development.

Every person has a moral responsibility to his Creator for the proper use of his time and energies. He must be guided in these by the dictates of his own conscience. No other power on the face of the earth has been delegated with authority to dictate what any man shall do so long as he respects the God-given rights of his fellow men. To usurp the prerogatives of the Creator in this regard, is to violate the moral law of the universe as well as to infringe upon the rights guaranteed by the Constitution of the United States.

When addressing both houses of Congress in commemoration of the inauguration of President Washington, December 11, 1889, Chief Justice Fuller of the Supreme Court, condemned such paternalism as destructive to the intellectual, moral, and material progress of the nation. He said:

"When man allows his belief, his family, his property, his labor, each of his acts, to be subjected to the omnipotence of the state, . . . such a surrender of independence involves the cessation of such progress in its largest sense." —Page 36.

We believe in every man's worshipping God on one day of the week—the Sabbath day. But let him do this because he loves his Maker, and not because Congress passes a law to coerce him.

We believe that every man should have a day of rest from his regular work every week. But let him secure it without interfering with the rights of others.



## Conscience vs. Congress

(Concluded from page 49)

every alien admitted to citizenship shall be subject to the same obligation in all respects as a native-born citizen."

To tolerate the Supreme Court's decision, says the *Christian Century* (undenominational), "to be squeamish about raising one's voice against it, to imagine that any principle of sound patriotism is violated by incontinently repudiating it and disassociating oneself from all obligation under it, is simply to confess how fully one's mind has been brought under the yoke of subjection to a thoroughly pagan conception of the state."

The aim of the religious press in its present concerted effort, says this Chicago journal, which devotes nearly an entire issue to the discussion, is "to inform church people that something serious and unprecedented has happened to their status as citizens, to arouse them to a repudiation of the restriction which the Supreme Court's decision puts upon their long-established guaranty of freedom of conscience, and to enlist them in a nation-wide petition to Congress for relief." It is urged—

"The time is ripe for a vigorous uprising against those postwar influences which are operating to set up a nationalistic state as absolute as that which we once imputed to Prussianized Germany, and as pagan as that of the Roman Cæsars.

"The most precious treasures of our American heritage are at stake.

"If those who believe in a spiritual religion; in a free church within a free state; in a democracy which jealously guards its most precious asset, namely, the free consent of the governed; in a living God who holds in His hands the destinies of nations,—if such citizens as these hesitate to voice their convictions but bend their wills supinely to a pagan diety, the future of both religion and democracy will be dark indeed."

That Dr. MacIntosh is in essential agreement with Catholic moralists is vouched for in the same magazine by J. Elliott Ross, a Roman Catholic priest connected with the Newman Foundation at the University of Illinois. He says, "both Dr. MacIntosh and Catholic moralists stand for the supremacy of the

individual conscience, and realize that a situation may arise when the citizen of a particular state must say with the apostles: 'We must obey God rather than men.'"—*Literary Digest*, Feb. 20, 1932.

## Sunday Bills Before Congress

(Concluded from page 50)

The United States Senate, in considering similar legislation, gave the following answer:

"The proper object of government is to protect all persons in the enjoyment of their religious as well as civil rights, and not to determine for any whether they shall esteem one day above another, or esteem all days alike holy."

—U. S. Senate Mail Report on Sunday Mails, January, 1929.

## Courts Rule Against Sumptuary Legislation

(Continued from page 51)

There was at the time of this prosecution an ordinance regulating barber shops similar to the one now in force in the District of Columbia, which requires the sterilization of all instruments, etc. On the question as to whether or not the ordinance closing barber shops was a health measure, the court said (page 601):

"In our opinion, the public health is protected by the provisions of the ordinance itself requiring inspection of barber shops, sterilization of instruments, and examination of all barbers suspected of having communicable diseases. . . . The alleged necessity for the restriction in the ordinance bears no reasonable relation to public health, is not supported by anything of substance, but rests, in our opinion, upon mere conjecture."

The supreme court of Louisiana, referring to 40 Wyo. 74, 275 P. 106, 107, said:

"Unless the closing regulation in question in the case at bar bears a real and substantial relation to the purpose of protecting the public from the spread of disease, it stands on the same footing as any similar restriction on the right of a citizen to engage in a harmless and useful occupation."

The court further stated in reference to said ordinance:

"A minority of 20 per cent of the barbers in the city of Alexandria are opposed to the ordinance in question. The clear purpose of the ordinance is to make all barbers close their shops at the same time."

In conclusion, the court said:

"It is our conclusion, therefore, that [referring to the ordinance] is not a reasonable exercise of the power of the city . . . to regulate and control barber shops, and that this section is unconstitutional, null, and void as a whole."

Religious legislation drafted in such forms as the bills referred to, is not so innocent-looking when the history of Sunday legislation is analyzed. The first Sunday law enacted by the Puritans only prohibited labor of certain kinds, but it was not long before amusements were forbidden, and finally all people were compelled to go to church. Some even suffered capital punishment who dared exercise their right of conscience.

May Congress turn a deaf ear, as it has in the past, to those who would override the inalienable rights of the individual.

M. C. T.

### One Presbyterian Clergyman Straight on Church and State

ACCORDING to the *Detroit Free Press* of January 18, 1932, there is at least one Presbyterian clergyman who has not only the correct vision of the true relationship of church and state, but the courage to rebuke the churches which seek aid from the state to further their own ends. The Rev. Hugh Jack, D. D., in his Sunday evening sermon at Northminster Presbyterian church, scored the organizations of churchmen who "seek to wield political influence" for the upbuilding of the kingdom of God on earth, in the following pointed statements:

"The present attitude of some church leaders, and emphatically of certain churches to dictate and even enforce legislation, is a great mistake and a menace to the liberty of the people.

"The very tyranny against which our fathers fought so nobly is going on today. Societies and lobbying may be a screen behind which churchmen take refuge, but they are responsible just the same.

"From time immemorial there has been a struggle between the church and the state. The true mission of the church is spiritual. Her business is to save souls. There is not a single verse in the New Testament that lends any sanction to political meddling on the part of the church.

"Some of the blackest pages in the history of civilization tell the story of the attempt by the church to dominate the political life of the people.

"We should never forget that Americanism means separation of church and state. And that does not mean hostility. For it is the bounden duty of the state to protect and maintain the liberties of the church. And it is equally the duty of the church to be loyal to the state both in peace and war. One does not escape the responsibility of loyal citizenship by becoming a church member.

"The church should turn away from all political meddling as churches, and should so train and develop men and women that they would in turn become ideal citizens.

"And the best way to do this is by making disciples and teaching them the doctrines of Jesus Christ."

The Presbyterian churches have been unusually active in seeking the enactment and enforcement of compulsory Sunday observance laws before Congress and the State legislatures, as well as city councils. This admonition, coming from a Presbyterian clergyman, is timely. The churches are camouflaging and disguising their religious proposals as rest and health measures, and they take refuge behind this smoke screen. But the public is not fooled by such trickery. The churches will gain public confidence and prestige a good deal faster by confining their efforts to promoting religion in the hearts of the people than by seeking to give it a legal status on the statute books of the state.

C. S. L.

It is just as impossible for the professional reformer to put religion into the heart of a man by legal processes, as it is for the scientist to put a soul into the test tube by a scientific formula.

### The Lord's Day Alliance Hires Sunday Snoopers

**T**HE extremes to which religious bigotry leads its devotees is illustrated by a news item in the *New York Times* of February 2. More than ten people charged that—

"George O. Barnes, a representative of the Lord's Day Alliance of the United States, has been seeking \$15 annual memberships in that organization from Queens storekeepers, with the implication that if they joined, their Sunday closing hours would not be subjected to scrutiny by the league any longer. . . .

"When Barnes appeared at the Jamaica police station yesterday, and asked for a policeman to accompany him on his regular weekly search for violators of the Sunday closing law, Lieutenant Walter Lederman demanded and received Barnes's credentials. . . . Lieutenant Lederman assigned a policeman to accompany Barnes, but instructed him not to issue any summonses. Previously, when Barnes noted a violation of the Sunday law, the policeman with him had issued a summons, but Lieutenant Lederman told Barnes yesterday that, if he wished to prosecute any violators, he would have to go to court today and get the summonses signed by a magistrate."

In the meantime, the complaints which have been lodged against Mr. Barnes are being investigated by the police.

Whether or not the suggestion that this representative of the Lord's Day Alliance has been guilty of promising immunity in return for the price of membership in the Lord's Day Alliance is true, the fact remains that any representative of any religious organization is in a mighty poor business when he becomes a snooper and a spy. Personally, we wonder how any man who believes in Sunday sacredness can square his conduct with his conscience when he spends the day hunting out violators of a civil Sunday law and plans for their prosecution.

The idea that men can be made religious by haling them before civil magistrates is not only a century or more out of date, but is indicative of a gross misapprehension of gospel teaching. We commend to the Lord's Day Alliance this statement of the Founder of Christianity: "If any man hear My words, and

believe not, I judge him not." John 12:47. What cannot be accomplished by teaching in the matter of religion and morals cannot be accomplished by force.

H. H. V.



### Great Britain's Old Blue Laws

**T**HE recent decision of a British appeal court, that the showing of motion pictures in London on Sunday is strictly illegal, has directed attention to the fact that many blue laws still remain on the statute books of Great Britain. The Lord's Day Observance Act and other acts of Parliament which were designed for the religious stimulation of the people, remain to vex them after a desuetude of 200 years, and in some cases after a much longer period of disuse.

These archaic enactments have been allowed to become dead letters, but it has remained always possible for a "common informer" to revive any one of them and claim a reward for so doing. The prosecution of motion picture theater managers demonstrates the possibility.

Winston Churchill, in his condemnation of the blue laws, urged Parliament in his own vigorous language to "cut their dirty throats." There is one striking enactment which thousands of Britons defy on Sunday. Any man who on the Sabbath steps outside of his own parish to witness a game of cricket or football, or, indeed, any "sports or pastimes," is liable to a fine for which a levy may be made on his goods and chattels, or he may be imprisoned if he cannot satisfy the money penalty.

A law passed in the reign of Charles II forbids "tradesman, workman, artificer, or laborer doing any sort of work on the Lord's day." Should a man fall from grace in this respect, he is liable to a fine of five shillings. It is pointed out in this connection that if the Archbishop of Canterbury, on proceeding to church on Sunday morning in his automobile, purchases a gallon of gasoline to

complete his visitation, he becomes a lawbreaker.

There is a Gilbertian flavor in some of the old laws. If the milkman delivering milk on the Sabbath morning is for some reason or other delayed and arrives at just one customer's house a second after 9 A. M., he becomes a criminal *ipso facto*. On the other hand, a fish dealer who has mackerel for sale may cry his wares before the church bells ring for service and at the conclusion of the service.—*New York Times Magazine*, Feb. 8, 1932.



### Nullifying the Constitution

THE continued concentration of power in the Federal Government, the attempt to rule by commissions, the endless efforts of the professional reformers to regulate all personal conduct by specific enactments,—these seem to mark a complete abandonment of the purposes of government in America as set out in the Declaration of Independence, and to mark a growing tendency to abandon the principles of democratic republican government, and to nullify the Constitution, which was established to preserve and maintain those principles.

"And the churches, with a misguided zeal, seem to be the head and front of this unfortunate movement. After nineteen hundred years, they still seem to have missed the basic fact that the Christian religion is to be propagated by persuasion and not by force. The professional reformer, who thinks that his ideas only are right, and that they should be imposed on every one else, will always be with us; but he certainly does not seem to have any appreciation of the importance of human liberty; nor does he seem to recognize that ecclesiastical domination has always injured the people subjected to it."

Thus writes Charles Hall Davis, a member of the Virginia bar, in a letter to the editor of the *LIBERTY* magazine, complimenting the work the magazine is doing in its endeavor to keep the church and state separate in America. Our only objective is to help keep Christianity pure from corruption, the church free from political alliances, and our government established upon its great American ideals of civil and religious liberty, so both the church and the state

may enjoy the greatest freedom in their distinct and independent spheres.

C. S. L.



### A Modern Haman Hanged by His Own Rope

PENNSYLVANIA has some ancient Sunday laws on its statute books which were placed there at the instigation of a committee of Presbyterian clergymen in 1794. Not long ago the Ministerial Association of a well-known Pennsylvania city inaugurated a Sunday observance crusade by doing sleuth work on Sunday and causing Sunday law violators to be arrested and indicted. One of these meddlesome clergymen (and we shall refrain from disclosing his name and his denomination, lest a perpetual stigma be attached to his name similar to that on the name of Haman), spied upon a poor widow who conducted a small restaurant. She was arrested on the oath of the minister, charged with selling ice cream on Sunday, which, of course, is duly prohibited under the Pennsylvania Sunday blue laws. After hearing the testimony in the case, the judge discharged the widow, and informed the Rev. — that he would have to "pay the costs in the case; failing to do which, execution on his property would be made."

The Biblical story of Haman and the scaffold he built for Mordecai, but upon which he himself was later hanged, tells the story completely of what happened to this modern Puritan, who could tolerate nobody's religion but his own.

This incident ought to serve as an object lesson to our present-day legislators as to the type of clergymen who demand Sunday observance legislation, and the extremes to which they will go in their attempts to enforce these religious laws when once placed upon the statute books.

Sometimes it happens that a judge is just as great a religious bigot as this Pennsylvania clergyman, and when these two meet, the Mordecais instead of the

Hamans are hanged on the scaffold. Our country has only a few rulers and magistrates of the Ahasuerus and the Pennsylvania judge's type, who place equity above law and interpret the statutes in harmony with the Constitutional guaranties of civil and religious liberty, vouchsafed to the individual. May the good Lord bless our country with more of these just rulers, so long as these unjust and un-American religious laws are retained upon our civil statute books. Our legislators ought to repeal these ecclesiastical laws, and deprive the clergy of their carnal weapons, so the judge would not have to resort to technical evasions to circumvent the law.

C. S. L.

### President Hoover Warns Against the Surrender of Individual Freedom

**P**RESIDENT HOOVER, in addressing Congress at the opening of its seventy-second session, December 8, 1931, warned the national lawmakers against the dangers that threaten the overthrow of the fundamental principles of human rights and individual liberty in the governmental endeavor to meet present-day emergencies. The President wisely said:

"If the individual surrenders his own initiative and responsibilities, he is surrendering his own freedom and his own liberty. It is the duty of the national government to insist that both the local governments and the individual shall assume and bear these responsibilities as a fundamental of preserving the very basis of our freedom."

Too many of our lawmakers are willing to sacrifice every fundamental principle of human rights and our dearly purchased heritage of freedom, just to satisfy the whims and clamorings of aggressive and noisy factions and groups which have selfish ends to serve for the immediate present. It is a fortunate thing that we have had Presidents of late who have not hesitated to defend the Constitution and the guaranties of civil and religious liberty, even when

Congress attempted to override those Constitutional guaranties vouchsafed for the protection of the rights of the individual against the encroachments of a tyrannical majority.

C. S. L.

### Protests Church Entering Politics

**P**ROFESSOR S. F. B. MORSE, the great inventor of the telegraph, was a staunch champion of religious liberty and the separation of church and state, as the following statement from his vigorous pen indicates:

"There must not be a Christian party. What! shall Christianity throw aside the keen moral and intellectual arms with which alone it has gained and secured every substantial victory since the commencement of its glorious career; shall it exchange those arms of heavenly temper, 'mighty in pulling down strongholds,' for the paltry, earthly (I might say infernal) weapons of party strife? Can Christianity stoop so low? Can it bring itself down from contemplating its great work of revolutionizing the world by bringing moral truth to bear on the conscience and the heart, and narrow its vision to the contracted sphere of party politics? Can it enter, without defilement, into the polluted and polluting arena of political contest?"—*Foreign Conspiracy*, p. 119.

Most of the professed Christian churches have forsaken the gospel means and methods as well as the gospel objectives, and have entered the civil and political arena in the hope that the kingdom of God may be ushered into the world through the gateway of politics, and the church more firmly established in the high places of the governments of earth. It seems that some ecclesiastics of the Puritan type have a greater attraction for Cæsar's public antechamber than for the secret place of prayer. No matter how many rebuffs and despoliations the church gets for meddling in political affairs and accepting state patronage, the modern Puritans always imagine that their venture into the political arena is going to prove a successful experiment in advancing the kingdom of God by means of political methods and civil authority.

C. S. L.



### Does God Need Legal Support?

SOME folks think that our forefathers who founded the American Republic made a serious mistake by not placing the name of God and Christ in the Federal Constitution, and in not recognizing the Christian religion as the national religion of the United States. Is God so weak that He needs legal support in order to maintain His own cause? No; whether God's name is in the Constitution or not, does not add nor deduct one iota of divine virtue or strength. God is capable of maintaining His own cause, even if all the devils of hell and all the governments of earth are arrayed against Him. Christianity would not gain a single convert by having the Christian religion recognized in the Constitution. It might receive a terrible setback and become utterly corrupted by such an unholy alliance with civil power.

The National Reform Association is at the present time working to bring about the adoption of an amendment to the Constitution which will recognize the Christian religion as the "national religion" of the United States. The *Christliche Apologete*, of Cincinnati, Ohio, in an editorial, has expressed its doubts as to the wisdom of this movement and the benefits that would accrue if they succeeded, as follows:

"There are some good and earnest people who lament that our Constitution contains no express recognition of the Christian religion, and there exists an organization which wishes to bring about a suitable amendment to the Constitution. While we respect the conviction of these good people, yet, according to our opinion, it is much to be doubted whether this agitation is healthy, or if it should be successful, whether the desired results would appear."

We do know that such experiments have in the past not only proved futile, lacking in beneficial results, but they have been a real detriment to the cause of religion. Christ said: "My kingdom is not of this world." Evidently the National Reformers believe they can succeed where the disciples of Christ failed when they attempted to "take Him by

force, to make Him a king." The *Divine Record* says that when Christ perceived their scheme, He forsook them and departed into a mountain alone. One of the hardest lessons the followers of Christ have had to learn is that Christ's "kingdom is not of this world," and that His teachings are not to be forced upon the world by civil statutes and magisterial authority. A failure to recognize this great truth has been the primary cause of all the religious persecutions in the past. C. S. L.



### Atheists as Criminals

ATHEISM is to be punished as a crime in Germany.

Prosecuting attorneys, news dispatches inform us, have been ordered to proceed severely against atheists and atheistic organizations.

But the *Baptist* thinks this the wrong way to drive out "the cult of the godless," and says:

"It seems apropos and sufficient to quote Roger Williams: 'It is the will of God that . . . a permission of the most paganish, Jewish, Turkish, or anti-Christian consciences and worships be granted to all men in all nations and countries: and they are only to be fought against with that sword which is only in soul matters able to conquer, to wit, the sword of God's Spirit, the word of God.'

"That creed is in a desperate, indeed a hopeless plight which must be sustained by threat of fines or imprisonment. It is a serious thing thus to be brought face to face with the possibility that men may have to learn again in blood and tears what seemed to have been learned, once for all, in darker days, that the human conscience cannot be coerced."—*The Literary Digest*, Jan. 23, 1932.



ECCLESIASTICISM, whether Roman, Greek, Protestant, Jewish, or Mohammedan, must be rebuked whenever it makes attempts for a legal recognition of its peculiar tenets or seeks carnal power through civil enactments.



To make the state first in the affections of the people is to deify the state.

## Georgia Officials Forbid Acts of Mercy on Sunday

**T**HE Georgia Sunday law is very drastic in its restrictions, yet it expressly states that "works of necessity or charity" shall be permitted on Sunday. But when Mrs. M. N. Margeson, director of the women's division of Mayor James L. Key's emergency relief committee of Atlanta, Ga., attempted to give a motion picture charity show for the benefit of the unemployed in Atlanta, she was arrested and ordered to appear in court for violating the Sunday-closing law of Georgia.

It appears that the public officials were influenced more by the religious bigotry and intolerance of certain complaining clergymen than by the appeals to relieve the needs of suffering humanity. The attitude of the public officials and the militant clergymen of Atlanta was similar to that of the public officials and Pharisaical priests in Christ's day, when they accused Him of breaking their Sabbath laws by healing and relieving the sick and suffering on the Sabbath day.

Georgia has not made much progress along humanitarian lines. Its Sunday laws do not allow any freight trains to run on Sunday, no unnecessary traveling of any kind, no work or business of any kind, except what is necessary or charitable. Strange as it may seem, the Georgia Sunday law prohibits the sale and carrying of liquor to Sunday or day school celebrations only on Sunday. The law expressly states that "any person who shall be guilty of open lewdness, or any notorious act of public indecency, tending to debauch the morals, or of keeping open tippling houses on the Sabbath day or Sabbath night, shall be guilty of a misdemeanor." Naturally, one would infer that it was perfectly proper to do the above acts on any other day, and not be guilty of a misdemeanor.

It is high time for the people of Georgia to wake up and frame their laws in harmony with American ideals of civil

government, and get rid of some of their ancient pharisaical blue law legalism on the subject of religion. When the Sunday laws are so strictly interpreted by the civil magistrates as to prevent acts of mercy and charity for the unemployed in these distressing days, it is high time that somebody reminded these public officials that they were chosen to discharge civil and not religious functions.

We are glad to announce that the city recorder, A. W. Callaway, after the case was bitterly contested in the court for days, ruled that Sunday theater shows for the benefit of charity are legal in Atlanta, and that the city ordinance prohibiting such shows on Sunday violates the State constitution.

What the courts of Georgia should do is to declare all Sunday observance legislation unconstitutional. To require any person to observe Sunday by law in Georgia is certainly in violation of its constitution, which expressly states that "no person shall be denied any civil or political right, privilege, or capacity, on account of his religious opinions." That guaranty of religious liberty includes more than the privilege of conducting Sunday shows for charity.

C. S. L.



## England's Blue Laws in the Crucible

**I**N England, any person can bring suit against a Sunday law violator, and collect damages. Recently Miss Millie Orpen brought suit against a movie theater in London which remained open on Sunday in violation of a blue law nearly two centuries old, which forbade all forms of recreation on Sunday. She won her suit, and the high court of England awarded her \$25,000 damages. She renounced her award, and said she never intended to collect it, but sued only as a test case.

As long as England has a state religion and blue laws of this type on the

statute books, even if they are a thousand years old, we can expect no other decision from the high court of England. The remedy lies with Parliament, and Parliament did act in the House of Commons and repealed this law, but the House of Lords has still to act.



### Sparks From the Editor's Anvil

To be intolerant is human; to be charitable is divine.

LIBERTY, like love, must be bestowed on others, not on self.

THE making of martyrs is the signal for the downfall of tyranny.

A LAW that is not based on reason and equity is the code of fools.

IT is better to shun the seed of tyranny than to lament its vintage.

HE who freely surrenders his liberty does not deserve the blessings of freedom.

ERROR succumbs to the ravages of time, though sustained by a thousand laws.

CIVIL and religious liberty can be guaranteed only at the price of vigilance.

THE free exercise of personal liberty ends where another's personal injury begins.

CARNAL peace for carnal men is maintained by the "big stick" through intimidation.

TRUTH, when given a free field in the combat, has no enemy it cannot conquer unassisted.

To tolerate error is magnanimous, but to follow an acknowledged mistake is unpardonable.

THE past was satisfied with the crumbs of religious freedom, but the present demands the whole loaf.

ABSOLUTE liberty disregards the rights of others, but equal liberty respects the rights of each and all.

If there is a joy greater than the possession of liberty, it is the joy in the satisfaction that you have waged your best fight in the defense of liberty.

AN agnostic presumes not to know; teach him as you would a child: a bigot assumes to know all; treat him as you would a mental patient.

THE weapons of arrogant sovereignty under cover of divine right and human pedigree, are all destined for exhibits in the national museums.

THE church which curses the dissenter and the heretic may release a Paul or a Luther from ecclesiastical bondage to bless the world.

MIXING religion and politics is like mixing matches and powder; the least friction causes an explosion with disastrous results.

LAW condemns, love redeems, faith saves, and mercy pardons the sinner, notwithstanding all human legislation to the contrary.

TRUTH can afford to wait, for the eternal years are hers; error cannot wait, it is short-lived, therefore it craves legal support.

SOME who denounce the Pope of Rome because he is a pope, act worse than the pope in their own sphere of influence.

THE attempt to enact compulsory Sunday observance laws is ancient bigotry seeking modern recognition.

UNRESTRAINED liberty may enable a tyrant to wade through seas of human blood to the throne of power.

DECENTRALIZATION of power in state and church is the individual's only hope for civil and religious liberty.

THE church may entreat, beseech, exhort, and persuade, but never compel any to take the right course.

BE not deceived by the sparkling cup which leaves a curse while it cheers.

THE greatest evils which have afflicted the world had small beginnings.







# Liberty

BY THOMAS E. HIRST

THIS liberty we have today,  
The right to worship God,  
An upward path the ages through  
The few have ever trod.

It reaches back across the past,  
A hallowed, hoary trail,  
Illumined by celestial light;  
We read its wondrous tale.

Milestones stand out in bold relief;  
Their history we read,  
The names of martyrs there inscribed,  
And of each golden deed.

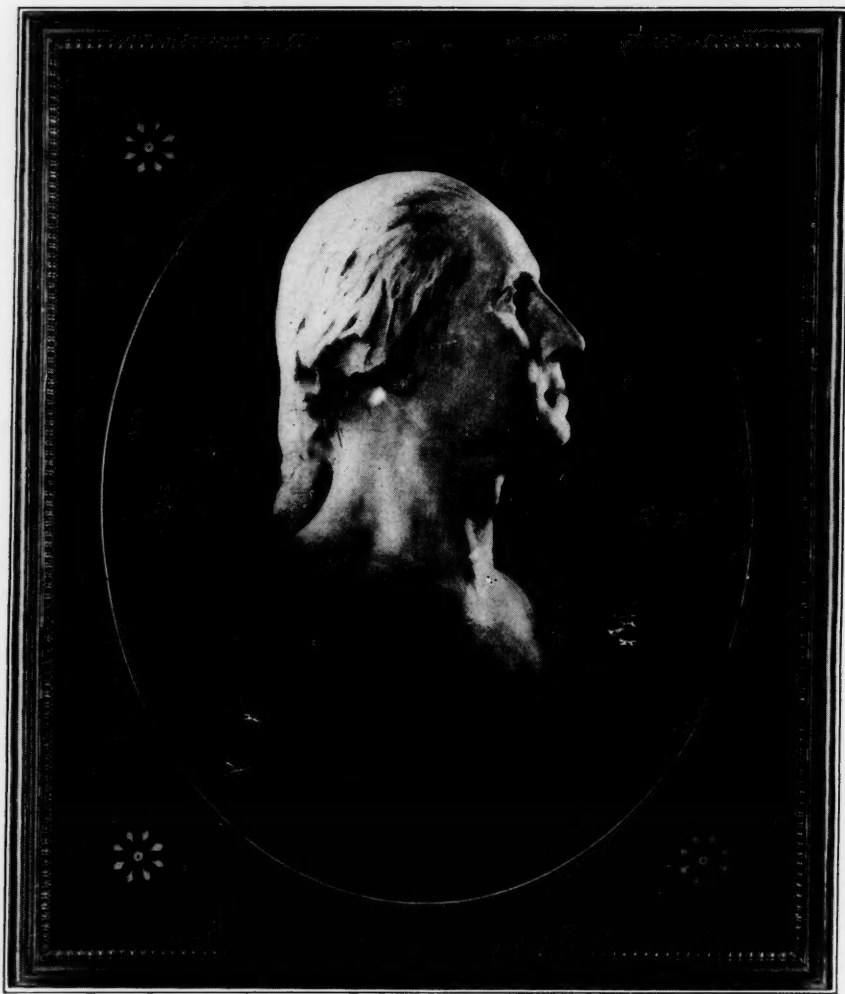
'Tis thus the sum of human gain  
Mounts ever on and up,  
Because that in earth's bitter need  
Some drank of glory's cup.

Ah, such a cup that few could drink  
The bitter, deadly brew;  
No garlands then, or fulsome praise,  
Its quaffing brought to view.

Its dregs revealed but hatred's sword,  
The rack, or prison cell;  
And death was but the sweetest scene  
Deep hidden in its spell.

Each martyr's grave became a stone  
Marking the road to right,  
That men might step from darkest pit  
Into the realms of light.

We pledge ourselves to greater deeds,  
As linked with strength divine,  
Our heritage we'll not belie,  
As brighter light shall shine.



COURTESY, GEORGE WASHINGTON BICENTENNIAL COMMISSION

THE famous Houdon bust of George Washington, made from life at Mount Vernon by the great French sculptor, Jean Antoine Houdon, in 1785. The bust has never been away from that shrine.

This picture has been selected by the portrait committee of the George Washington Bicentennial Commission as the official picture of the Father of His Country, for the Bicentennial Celebration of his birth this year.

During this celebration the attention of American citizens will be called again to the illustrious life of our first President, and to the high resolves and principles for which he stood. The First Amendment to the Constitution of the United States, which declares that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof," was declared in force during his first term as President.

Also under his administration a treaty between the United States and Tripoli was negotiated, which stated that "the government of the United States of America is not, in any sense, founded on the Christian religion." In other words, religionists and nonreligionists are alike entitled to impartial protection under this government.

